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15 MERRILL LYNCH, PIERCE, FENNER & SMITH  
16 INCORPORATED  
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19 MARK L. GRINGERI,

20 Plaintiff,

21 vs.

22 MERRILL LYNCH, PIERCE, FENNER &  
23 SMITH INCORPORATED, PAT  
24 WILLIAMS, and DOES 1 through 100,

25 Defendants.

CASE NO. C08 03453 HRL

**PROOF SERVICE OF NOTICE OF  
REMOVAL AND ACCOMPANYING  
PAPERS**

[Santa Clara County Superior Court  
Case No. 107CV090322]

I, the undersigned, declare that I am over the age of 18 and not a party to the  
within cause. I am employed by Munger, Tolles & Olson LLP in the County of Los Angeles,  
State of California. My business address is 355 South Grand Avenue, Thirty-Fifth Floor, Los  
Angeles, California 90071-1560.

1 On July 17, 2008, I served upon the interested party(ies) in this action the  
2 foregoing document(s) described follows:

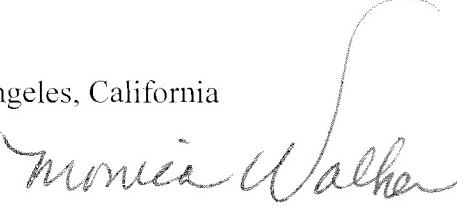
- 3 1. Notice of Removal;
- 4 2. Civil Cover Sheet;
- 5 3. Certification of Interested Entities or Persons Pursuant to F.R.C.P. Rule 7.1  
6 and Local Rule 3-16; and
- 7 4. Declaration of Katherine M. Forster In Support of Defendant Merrill  
8 Lynch's Notice of Removal.
- 9 5. Order Setting Initial Case Management Conference and ADR Deadlines
- 10 6. Standing Order for All Judges of the Northern District of California;  
11 Contents of Joint Case Management Statement
- 12 7. Guidelines -- Welcome to the United States District Court for the Northern  
13 District of California, Clerk's Office, San Jose Division

14 **BY FEDERAL EXPRESS PRIORITY OVERNIGHT DELIVERY** I caused

15 such envelope(s) to be placed for Federal Express collection and delivery at Los Angeles,  
16 California. I am "readily familiar" with the firm's practice of collection and processing  
17 correspondence for Federal Express mailing. Under that practice it would be deposited with the  
18 Federal Express office on that same day with instructions for overnight delivery, fully prepaid, at  
19 Los Angeles, California in the ordinary course of business. I am aware that on motion of the  
20 party served, service is presumed invalid if the Federal Express delivery date is more than one  
21 day after dated of deposit with the local Federal Express office, pursuant to this affidavit.

22 I declare that I am employed in the office of a member of the bar of this court at  
23 whose direction the service was made.

24 Executed on July 17, 2008, at Los Angeles, California

25   
26

27 Monica Walker  
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1                   SERVICE LIST  
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